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1 Plaintiff as a witness nor was the witness deposed. The Plaintiff's counsel stated that it was the
2 government who identified this individual in its discovery materials, so it should not now be
3 surprised.

4 Judge Manibusan explored the possibility of the parties submitting the case for a settlement
5 conference. Agreement on the matter could not be reached.

6 Judge Manibusan stated that the Chief Judge would be in another civil trial which begins
7 on February 19, so it is likely that the February 25 trial date here would have to be moved. With
8 counsel's agreement, Judge Manibusan vacated the February 25 trial date and associated pretrial
9 dates and deadlines, and proposed a trial date of April 21, 2008. The parties stated that they
10 would look at their calendars and check with their experts as to whether said date is acceptable.
11 Thereafter, the court would issue a new trial scheduling order.

12 Mr. Schwab offered to have the government's off-island expert available to speak with
13 the Plaintiff's counsel when said expert arrives on Guam in February.

14 The conference concluded at 11:35 a.m.

15 Dated: February 2, 2008.

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17 Prepared by Judith P. Hattori, Law Clerk
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